



December 22, 2016

Mr. Dale McCourt, Senior Advisor
Health Services
10 Brook Street, Suite 210
Asheville, NC 28803

Dear Mr. McCourt:

This is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) request (GSA-2017-000135) dated November 3, 2016, in which Ms. Kerlyne Cenafils requested:

"[I] am writing on behalf of Public Consulting Group, Inc. (PCG) to request copies of specific public documents pursuant to the Freedom of Information Act. This records request corresponds to the GSA Contract GS15F0059M. We are requesting the following documents outlined below: 1. The winning technical and cost proposal; 2. A list of the bidding contractors".

Request Item #1

Please be advised that GSA has determined to withhold the winning technical and cost proposal under Exemptions 3 and 4 of the FOIA (5 U.S.C. §552(b)(3), (b4)(4)).

The fourth exemption permits an agency to withhold information that contains commercial or financial information obtained from a person that is privileged or confidential. GSA may withhold commercial or financial records if release of the information would involve a substantial risk of competitive injury to a business that directly or indirectly furnished information to GSA. We determined that the redacted information clearly falls within the scope of this exemption because public disclosure of this information is likely to cause substantial competitive harm to the business that furnished the information. The third exemption allows agencies to withhold contractor proposal information. This determination was made independently based upon our analysis and the content of the requested records. We determined that the withheld information falls within the scope of these exemptions.

In reference to the above paragraph, please be advised that both the technical qualifications description and pricing information that resulted in the award is publicly available via GSA Elibrary website:

<http://www.gsaelibrary.gsa.gov/ElibMain/contractorInfo.do?contractNumber=GS-15F-0059M&contractorName=MSM+SECURITY+SERVICES%2C+LLC&executeQuery=YES>

Request Item #2:

Schedule 738X is an open Multi-award solicitation therefore there is no specific listing of bidding contractors maintained. Each offer is evaluated individually and there is no limit as to the number

of awards under this program. Since we do not have responsive documents as described in your request, this does not constitute a denial under the FOIA.

You have the right to appeal the partial denial of the records under FOIA. To do so, you must write within ninety (90) days of your receipt of this letter to the following address:

General Services Administration
FOIA Requester service Center (H1F)
1800 F Street, N.W., Room 7308
Washington, D.C. 20405

Your appeal must be in writing and should contain a brief statement of the reasons why the withheld information should be released. Enclose a copy of your initial request and this partial denial. Both the appeal letter and envelope should be marked prominently, "Freedom of Information Act Appeal."

This completes our action on this request. Should you have any questions, please contact Nelson Duncan at 212-264-3633 or by email at nelson.duncan@gsa.gov. You may also contact the GSA FOIA Public Liaison, Audrey Brooks, at (202) 205-5912 or by email at audrey.brooks@gsa.gov for any additional assistance and to discuss any aspect of your FOIA request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

Travis Lewis

Travis Lewis
FOIA Program Manager